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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/538,617

06/10/2005

John S. Henry

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24737

7590

03/06/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

HSIA, SHERRIE Y

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

03/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/538,617

Applicant(s)

HENRY ET AL.

Examiner

Sherrie Hsia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/10/05</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because in Figs. 1-3, all blocks should be functionally labelled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

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As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) **BRIEF SUMMARY OF THE INVENTION.**
- (h) **BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).**
- (i) **DETAILED DESCRIPTION OF THE INVENTION.**
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

There are no headings.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 0883103.

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As to claim 1, EP 0883103 discloses the claimed subject matter, the claimed adjustable gamma correction circuits are met by the color control circuit 34 (Fig. 3), the claimed ambient light sensing circuit is met by the sensor 40 and the intensity control circuit 22 (Fig. 3), the claimed means for generating is met by the controlling means 32 (Fig. 3) (see column 2 line 1-column 3 line 58). The claimed source for color video signals is inherently disclosed by EP 0883103 (Fig. 3, column 2 line 1-column 3 line 58).

As to claim 9, the claimed limitations are disclosed by EP 0883103 (column 3 line 17-column 4 line 14).

4. Claims 1, 3, 4, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 1137266.

As to claims 1 and 9, EP 1137266 discloses the claimed subject matter, the claimed adjustable gamma correction circuits are met by the LUT 18 (Fig. 11), the claimed ambient light sensing circuit is met by the brightness sensor 27 (Fig. 11), the claimed means for generating is met by the control circuit 23 (Fig. 11) (see paragraphs 0030, 0072-0074, 0079-0102, 0132). The claimed source for color video singles is inherently disclosed by EP 1137266 (Figs. 1, 2, 11, paragraphs 0030, 0072-0074, 0079-0102, and 0132).

As to claims 3, 4 and 10, the claimed limitations are disclosed by EP 1137266 (40, 41, 28 of Fig. 11, paragraphs 0084 and 0085).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0883103 in view of Brennesholtz (5889565).

As to claim 2, EP 0883103 does not show a matrix circuit. Brennesholtz shows the matrix circuit which receives a luminance signal and color difference signals and processes these signals to produce R, G and B color signals in a color television receiver. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify EP 0883103 by including such well known matrix circuit as taught by Brennesholtz in order to receive and process the luminance and color difference signals.

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As to claim 5, EP 0883103 does not show the gamma correction circuit having a log amplifier, a variable gain amplifier and anti-log amplifier. Brennesholtz shows the well known gamma correction circuit which has a log amplifier, a variable gain amplifier and an anti-log amplifier to output the gamma corrected color signal. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify EP 0883103 by having the gamma correction circuit formed by the log amplifier, the variable gain amplifier and the anti-log amplifier as taught by Brennesholtz to gamma correct the color signals.

As to claim 6, see the same reason as stated in claim 2.

6. Claims 2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 1137266 in view of Brennesholtz (5889565).

As to claim 2, EP 1137266 does not show a matrix circuit. Brennesholtz shows the matrix circuit which receives a luminance signal and color difference signals and processes these signals to produce R, G and B color signals in a color television receiver. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify EP 1137266 by including such well known matrix circuit as taught by Brennesholtz in order to receive and process the luminance and color difference signals.

As to claim 5, EP 1137266 does not show the gamma correction circuit havg a log amplifier, a variable gain amplifier and anti-log amplifier. Brennesholtz shows the well known gamma correction circuit which has a log amplifier, a variale gain amplifier and an anti-log amplifier to output the gamma corrected color signal. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify EP 1137266 by using the

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gamma correction circuit formed by the log amplifier, the variable gain amplifier and the anti-log amplifier as taught by Brennesholtz to gamma correct the color signals.

As to claim 6, see the same reason as stated in claim 2.

As to claims 7 and 8, the claimed limitations are disclosed by EP 1137266 (40, 41, 28 of Fig. 11, paragraphs 0084 and 0085).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Stessen (7050114) discloses a picture signal contrast control.

Allen (7019736) shows an ambient light sensor.

Shiraiwa (6567543) shows an image processing apparatus, image processing method, storage medium for storing image processing method, and environment light measurement apparatus having an ambient light sensor.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (571) 272-7347.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (571) 272-1000.



Sherrie Hsia
Primary Examiner
Art Unit 2622

SH
March 3, 2008